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The Solicitors' Journal and Weekly Reporter.

(ESTABLISHED IN 1857.)

LONDON, NOVEMBER 4, 1916.

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name of the writer.

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Current Topics.

New and Pending Legislation.

THE Licensing Bill, which is a consolidation Bill, and which
we discussed recently (60 SOLICITORS' JOURNAL, p. 692), has
received the Royal Assent, and there is a considerable body of
legislation—mainly emergency legislation—now under discus-
sion in Parliament. The Registration of Business Names Bill,
which has had a hesitating course through the House of Lords,
and has met with a mixed reception in the House of Commons,
we notice elsewhere. The Defence of the Realm (Acquisition
of Land) Bill, which was suggested by Mr. DUKE's Losses Com-
mission in order to prevent the public from losing the benefit
of buildings constructed on land taken for war purposes, has,
after lengthy consideration, been passed by the House of
Commons. The Anzac (Restriction on Trade Use of Word)
Bill we noticed last week. The Trading with the Enemy and
Export of Prohibited Goods imposes penalties for false state-
ments in connection with licences for trading which are re-
quired under the Trading with the Enemy Acts and Proclama-
tions. We have already noticed the great body of litigation
a hundred years ago in this connection which the reports reveal,
and it is still apparently expedient to provide facilities for trade
notwithstanding war prohibitions. Recent criminal proceedings
in connection with the Army Clothing Department have ren-
dered necessary the Prevention of Corruption Bill. The maxi-
mum penalties under the Prevention of Corruption Act, 1906,
and the Public Bodies Corrupt Practices Act, 1889, are, in the
case of contractors with Government Departments or public
bodies, to be increased to seven years' penal servitude. The
Spectator, we observe, considers that during war the offence
should be capital, which is a sign of the excesses to which it is
possible to go. It is also provided that, when the receipt of
money by an employee is shewn, there shall be a presumption
of corruption unless the contrary is proved. And there is the
Special Register Bill in the House of Commons, which makes
provision for the preparation of a new register of electors to
come into force on 31st May, 1917.

Delay in Privy Council Appeals.

THE Judicial Committee in a recent case from Ceylon
(*Times*, 28th ult.) commented severely upon the extraordinary
delays that are possible in the hearing of appeals from that
colony and from India. In the particular case an occupier of
lands had been deprived for seven years of power to utilise or

dispose of his rights by the initiation of vexatious proceedings which the Board held to be *prima facie* and obviously unfounded, and by the entering of a series of appeals. The Board evidently considered that every possible facility for obstructing and delaying final judgment had been ingeniously exploited by the unsuccessful parties, and most people will agree that there must be something wrong in a system of procedure which renders possible such delays. Our self-governing colonies, such as Australia and Canada, have attempted to diminish this evil by securing the enactment of Imperial Legislation restricting appeals to the Judicial Committee; the Canadian method is to give the appellant a choice between two final forums—the Board and the Dominion Supreme Court. If he chooses the latter, he cannot appeal to the Board without special leave, and this is only granted where a principle of great importance is at stake. India has no Supreme Court; each presidency or province has a high court or full court of its own. One wonders whether it might not be possible to apply the Canadian precedent to India, and establish there a Supreme Court for the hearing of appeals, civil and criminal, arising in any part of the Indian Empire.

The Late Mr. George Elliott, K.C.

THE DEATH OF MR. GEORGE ELLIOTT at the early age of fifty-six removes from the Old Bailey one of its most familiar figures. The late King's Counsel can scarcely be described as one of the leading advocates of his day, for outside criminal and licensing cases his practice was not extensive. But he was certainly to the ordinary layman one of the best known of forensic orators. His geniality, courtesy, quiet common sense and shrewd eye for those features in a case which are most likely to impress the common man, made him extremely successful in conducting defences either in jury trials or before justices. He had no quarrels with the bench, no wranglings with his professional opponents. He never browbeat witnesses, and he never made the somewhat extravagant appeals to sentiment which are supposed to be characteristic of the Old Bailey practitioner. But he talked plain sense in a hearty way that reached home to the mind of the average jurymen, and so he got his verdicts in the face of more eloquent advocates and more learned lawyers. His great asset was his unequalled tact. In the words of the old New England rhyme:

"Tact clinches the bargain, sails out of the bay,
Gets the vote in the Senate, 'spite of Webster and Clay."

Next to his tact Mr. ELLIOTT's greatest professional asset was his good nature; he had no "side," and was unaffectedly full of camaraderie towards all men, from police constables and office boys to judges and law officers. He was a clean, straight fighter, too, whom the bench and the jury instinctively felt could be relied on to do the square thing; he never descended to trickery or concealment in order to secure a win. Outside his profession, to which he was devoted, he had few interests in life, and—although he stood twice as a Parliamentary candidate in the Unionist interest—it may be doubted if he cared very deeply for politics. Modest, simple, unaffected in all his manners and ways, he was also a trifle old-fashioned, and clung to the precincts of "Groom's" well-known coffee-house as his luncheon haunt when other successful or ambitious men had deserted it for Hall or Common Room. In the faithful circle of men who still frequent that time-honoured haunt of forensic aspirants to fame he will be greatly missed and not easily forgotten. Even in these sad days of war his genial smile and ready flow of entertaining anecdote did not a little to banish for a moment from the table he favoured the gloom which surrounds us all.

Appeals from Military Service Tribunals.

It is now generally accepted as good law that the local and appeal tribunals set up under the Military Service Acts are in the nature of inferior courts of law, bound by the normal rules of procedure except in so far as their own statutory regulations otherwise provide, and subject to the ordinary control of such bodies by the High Court. In *R. v. Grimsby Section of the Lincolnshire Appeal Tribunal* (Times, 31st ult.), this principle

has just been applied in a very interesting way. The doctrines laid down in cases connected with magisterial tribunals—such as *Foss v. Best* (1906, 2 K. B. 105), *Hughes v. Wavertree* (1894, 58 J. P. 654), and *Mayer v. Harding* (1866, 31 J. P. 376)—as regards the effect of non-compliance with rules of procedure upon the jurisdiction of a court to entertain appeals, have been extended by the Divisional Court and the Court of Appeal to these new tribunals. The doctrines in question are two in number. The first is to the effect that certain rules of procedure—e.g., those which provide for the service of notices on parties or courts—are merely "directory," not imperative, and compliance with them may be waived, expressly or impliedly, by the other party to the case. Breach of these rules does not destroy jurisdiction unless the other party is thereby prejudiced. The second part of the doctrine is that, even when a rule of procedure is "imperative" and an indispensable condition precedent to the existence of jurisdiction—e.g., the doing of acts in the law within a prescribed time—failure to observe the condition precedent is not fatal if observance of it was in fact impossible. In such a case the party in default must shew that he has done all he can to observe the condition—which is technically called "making a sufficient compliance with it"—and that the other party has not in fact suffered prejudice. If he can do that, the court has jurisdiction. But in which of these categories are we to put the case where a rule of procedure says a certain official "prescribed form" must be used, and this cannot be obtained because the demand exceeds the supply? This was what happened in the *Grimsby case* (*supra*), where a military representative wished to enter an appeal against a local tribunal certificate of exemption, but could not obtain from the clerk the prescribed form; though he had done all he could to remedy the omission by giving adequate notices to all parties concerned. The Court of Appeal did not decide between the two categories, but held that—even if the rule as to "prescribed forms" was "imperative" and not merely "directory"—there had been a "sufficient compliance" with it—full compliance being impossible without any default of the military representative—to satisfy the condition precedent and confer jurisdiction on the appeal tribunal.

Perjury after Verdict.

THE Court of Criminal Appeal had to decide in *R. v. Wheeler* (1916, W. N. 347) a vexed point under the Criminal Evidence Act, 1898. After a verdict of guilty has been found, or after a prisoner pleads guilty, the common practice of criminal judges is to ask the prosecution what is "known" about the prisoner. A police witness or two gives sworn testimony in the box, and the accused is permitted to call witnesses as to character. He usually makes some statement of his own, not under oath, in reply to the question of the clerk. "Have you anything to say why sentence should not be passed upon you according to law?" although, strictly, his only right at that stage is to move in arrest of judgment on some technical objection. But supposing, for any reason, he asks and is accorded permission to give evidence in the box at this stage, is such evidence regular? This was the point that came up in *R. v. Wheeler* (*supra*); and it arose in this way: WHEELER was a milk dealer, and was charged at Acton Police Court with selling milk deficient in fat—which is a summary offence by virtue of the Sale of Food and Drugs Act, 1875, s. 6, and the Sale of Milk Regulations made by the Board of Agriculture under statutory powers. He pleaded guilty. Then the prosecutor suggested that he had deliberately mixed skimmed with new milk, thereby causing the deficiency. This the accused denied, and he got permission to deny on oath that he had been in the habit of purchasing skimmed milk. The prosecutor, in turn, was allowed to call evidence rebutting this, and then sentence was passed. WHEELER was afterwards indicted and convicted of perjury at the Central Criminal Court on the ground that his statement about his purchase of skimmed milk was false, and the question for the Court of Criminal Appeal was whether or not a charge of perjury would lie.

The Statutory Offence of Perjury.

THE EFFECT of the first section of the Perjury Act, 1911—itself merely codified common and statute law—is that the offence of perjury is only committed if the accused makes the false statement while “lawfully sworn as a witness,” and, if it was “material” in a “judicial proceeding.” Here the “materiality” may be taken for granted, since clearly it affected the seriousness of the offence, and therefore the weight of sentence. But was the accused “lawfully” sworn? “Every person charged with an offence,” says the Criminal Evidence Act, 1898, s. 1, “. . . shall be a competent witness for the defence at every stage of the proceedings”; but section 2 goes on to add that “where the only witness to the facts of the case called by the defence is the person charged, he shall be called as a witness immediately after the close of the evidence for the prosecution.” The first section seems wide enough to include evidence after verdict or plea of guilty as being given at a “stage” in the proceedings, although section 2 seems not to contemplate at all that any sworn evidence will be given by the defence after the close of the case. In face of this apparent inconsistency in the Act, the Court took the wider view, held that the evidence was regular, and upheld the conviction for perjury.

Alien Enemies and Proof of Debts.

THE DECISION of the *Daimler Co.'s case* (60 SOLICITORS' JOURNAL, 602; 1915, A. C. 307) went upon the ground that the secretary of the company had no authority to institute the action, and strictly it was unnecessary to decide whether a company incorporated in the United Kingdom could, under any and what circumstances, be an enemy or assume an enemy character; but opinions on the question were pronounced, in particular by Lord PARKER, whose judgment was prepared with the assistance and collaboration of Lord SUMNER, and who enunciated in a series of six propositions the rules which he considered applicable to companies. Some of these have been considered in *Re Hülckes, Ex parte Muhesa Rubber Plantations (Limited)* (*Times*, 28th ult.), where the trustee in bankruptcy of the debtor had rejected the proof of the creditor company on the ground that the company, though registered as an English company, was in reality a German trading concern. The company, in fact, was formed to deal with a rubber estate in German East Africa, and HORRIDGE, J., affirmed the rejection, not on the ground of German control of the company, but because it fell within the sixth of Lord PARKER's rules: “A company registered in the United Kingdom, but carrying on business in an enemy country, is to be regarded as an enemy.” But in the Court of Appeal it was considered that the rule thus barely stated was inconsistent with the other grounds of the *Daimler* judgment. It was necessary to look, not only at the actual place of carrying on business, but at the character of the agents by whom the business was carried on, and if these resided in this or a friendly country, they were *prima facie* to be regarded as friends, and the company had no enemy character. The Court of Appeal held that this was so in the present case—the directors and the secretary were all English and the control was in London—and accordingly the decision of HORRIDGE, J., was reversed, and the company's proof admitted. And apart from this, it seems that in bankruptcy an alien enemy is entitled to have his proof admitted, though payment is postponed till the end of the war: *Ex parte Boussmaker* (13 Ves. 71).

The Right to Affirm.

IT SEEMS a little difficult to understand how any recruiting officer, in the days of voluntary enlistment and attestation, should have refused to take a much-needed man because he desired to “affirm” instead of “swear” in taking the attestation oath—a right clearly conferred by the Oaths Act, 1888, upon persons without religious belief or whose religious belief forbids them to take an oath. Yet this happened at Harringay recruiting office last year, as came out in *Towler v. Sutton* (*Times*, 26th ult.), with the result that the

Divisional Court had to consider a case stated by the Middlesex Justices as to the legal effect of the officer's mistake. An atheist offered to attest, and was passed by the doctor, but refused by the recruiting officer because he desired to affirm instead of taking the oath. The result seems to follow that the man has “offered himself for enlistment” and “been rejected” since August, 1915, in such a way as to bring him within the sixth exception in the First Schedule to the Military Service (No. 1) Act, 1916. It was argued for the Crown that an illegal rejection was invalid, and could not be relied on by the person illegally rejected; also that “rejection” in the schedule meant “rejection on medical grounds”—a view which is no doubt not unreasonable. But the High Court refused to fill in a *lacuna* in a penal statute, and held that the appellant was exempt from serving.

Excess Profits and the Percentage Standard.

NUMEROUS DECISIONS have been given lately by the Board of Referees under the Finance (No. 2) Act, 1915, on applications for an increase in the “statutory percentage” for the purposes of Excess Profits Duty. The statutory percentage is a device introduced by section 40 of the Act for ascertaining in certain cases the pre-war standard of profits. It is six per cent. in the case of a trade or business carried on by a company, and seven per cent. in the case of a business carried on by individuals. This is calculated—speaking generally—on the amount of pre-war capital, and the calculation gives the “percentage standard” of profits. The deduction of this from the actual profits of an accounting period during the war, with the deduction also of the allowance of £200, then gives the amount of excess profits on part of which duty is payable. In ordinary cases the pre-war profits are calculated on the average of any two out of the last three pre-war years; but if this is less than the percentage standard, or if there has been less than a year of pre-war (Schedule 4, Part II., r. 4), the percentage standard is substituted. Section 42 of the Act provides for applications such as those to which we have referred, to increase under special circumstances the statutory percentage, with the result, of course, of diminishing the excess profits.

The Registration of Business Names Bill.

THREE months ago (60 SOLICITORS' JOURNAL, p. 663) we commented on the Registration of Business Names Bill as amended by the Select Committee of the House of Lords, and we referred to the curious history it had had. The project of a general system of registration of firms was started in 1878, but for more than thirty years it received comparatively little support. On the introduction of the Bill in January of this year it was opposed by Lord SUMNER and Lord PARMOOR, and, the Government declining to assist it, it was rejected. It was re-introduced and read a second time on 22nd March, and was referred to a Select Committee. The Committee included Lord SYDENHAM, Lord WRENBURY, and Lord MUIR-MACKENZIE, and careful consideration was given to the drafting of the Bill. The most important witness on this head was Sir PHILIP S. GREGORY, and a perusal of his evidence in the Committee's printed report (pp. 34 *et seq.*) shows the difficulties which had to be contended with—e.g., as regards the use of the word “person,” and the meaning of “surname”—in order to give the measure its proper scope and make it effectual. But the driving power necessary for bringing the measure to birth, which had hitherto been wanting, was at last found in an indirect manner in the war. The Bill had not been brought forward as an emergency measure; if it had, it would, of course, have been a Government Bill, and would have received quite different treatment. The Committee, however, in their report expressed “their strong opinion that the Bill would be of special value under the conditions both of the warfare now prevailing and of the state of things which may be expected

to arise immediately afterwards," and they submitted the Bill to the House as one which ought to be pressed forward without delay.

The operative part of the Bill is contained in clause 1. It does not require all firms and persons carrying on business to be registered. The requirement is restricted, as regards firms, to firms carrying on business in the United Kingdom

under a business name which does not consist of the true surnames of all partners who are individuals, and the corporate names of all partners who are corporations, without any addition other than the true Christian names of the individuals, or initials of such Christian names.

And, as regards individuals, to any individual

carrying on business at any place in the United Kingdom under a business name which does not consist of his true surname, without any addition other than his true Christian name or names, or the initials thereof.

But there are various exceptions, including the case of a business carried on by a legal personal representative, or a trustee of a will or of a deed of arrangement, or a receiver and manager appointed by the court.

Clause 2 requires, in cases where a business is carried on by a nominee, agent or trustee, registration of the true Christian name and surname of the principal or beneficiary. Clauses 3 to 5 prescribe the manner and particulars and time of registration, and clause 6 provides for registration of changes in the firm. Clause 7 imposes a penalty of £1 a day for default in registration, unless the default is remedied within the time specified in a notice from the Board of Trade; and clause 8 contains a curious provision under which a defaulter is prevented from enforcing his rights under a contract so long as the default continues. Clause 11 provides for registration offices at London, Edinburgh, and Dublin, the registrar being the registrar of companies in each of those cities, "or such other existing official as the Treasury may determine." Clause 12 provides for inspection of the registers by the public on payment of fees not exceeding 1s. for each inspection, and clause 13 empowers the Board of Trade to make rules concerning fees, forms and certain other specified matters. The definition clause, which is specially important, is as follows:—

15. In the construction of this Act the following words and expressions shall have the meanings in this section assigned to them, unless there be something in the subject or context repugnant to such construction:—

"Firm" shall mean an unincorporated body of two or more individuals, or one or more individuals and one or more corporations, who have entered into partnership with one another with a view to carrying on business for profit, but shall not include any corporate body, or any firm registered under the Limited Partnerships Act, 1907, or any unincorporated company which was in existence on the second day of November, 1862:

"Business" shall include every trade, occupation or profession:

"Individual" shall mean a natural person and shall not include a corporation:

"True surname" shall mean the surname under which an individual is for the time being known, not including a surname adopted or assumed for business purposes:

"Court" shall mean the High Court or the county court in the district of which the business is carried on:

"Business name" shall mean the name or style under which any business is carried on, whether in partnership or otherwise:

"Prescribed" shall mean prescribed by rules made in pursuance of this Act.

But if the history of the measure was curious before, it is still more curious since it was introduced into the House of Commons. Although not strictly a Government measure, it has been taken under the protection of the Board of Trade, but still it is not a war measure. "This," said Mr. PRETYMAN, in the second reading debate on Tuesday, "was not a war measure, but it clearly would have been very useful to the State to have known when the war broke out the nationality of all who did business under trade names in this country, and it would be useful to have this knowledge when we came to consider the trade situation after the war." But he intimated that it would have to be considerably amended in Committee, in particular by strengthening the penalty clauses, and the definition of "true surname." The surname, he pointed out, might be one recently assumed, and a period of time would have to be

fixed within which any changes of name which had occurred must be stated; and he added that experience pointed in like manner to the necessity of any change of nationality being recorded, no matter how long ago it took place.

The debate which followed shewed pretty clearly that the House had lost sight of the real genesis and object of the measure, and looked upon it merely as a war measure designed to root out German influence in business. There was a demand—of course, quite impracticable—that it should include the alteration of the Law of Naturalization, and one member moved its rejection—though without finding a supporter—on the ground that it was not drastic enough. In the result it was read a second time on the understanding that extensive amendments were to be proposed in Committee.

In this development of the matter we cannot do better than quote again Lord SUMNER's words in the second debate in the House of Lords:—

If and in so far as this Bill is directed to dealing with questions in connection with the admission of aliens to this country as traders, their admission to citizenship, and so forth, I venture to suggest that it may prejudice an issue that ought only to be decided very gravely, and that there is no possible excuse for treating it as a matter to be gone into now, at a time when only emergency legislation is really desirable.

This puts the matter in its true perspective. It is, of course, doubtful whether the Bill is wanted as a war measure, and probably all that is required in respect of German businesses, consistent with settled principles of law, can be effected under the existing Trading with the Enemy Acts. The Executive has been active in promoting emergency legislation, and yet it never seems to have discovered that the present Bill was required on that ground. As a measure for perpetuating the present unhappy strife in Europe by a trade war to follow the military war, it is to be deprecated, and, so far as we can judge, all the better opinion is against such a prolongation of international enmity. Already, before the war, the tendency to emphasize national distinctions was observed. "The fashion—a passing one, let us hope," said Sir FREDERICK POLLOCK, in the Cambridge Modern History, "is rather to exaggerate national and racial differences." This has been further strengthened by the war, and is crystallized in the phrase, "the wild asses of nationalism," which will have struck readers of "Mr. Britling." The only safe test for any legislation is that, while making the prosecution of the war effective, it shall not make the return of peace more difficult. As an emergency measure, we can understand the present Bill, but then it will have to be amended out of recognition. As a permanent measure, the proper consideration is whether it will really be required by business men in this country when international relations have resumed their normal course. On that point it seems to us the evidence is somewhat wanting. But under all the circumstances the future course of the Bill will be watched with interest. It must not be forgotten that in its present form it is the result of skilled drafting and of careful consideration in the House of Lords.

Books of the Week.

History.—The Manufacture of Historical Material: An Elementary Study in the Sources of Story. By J. W. JEUDWINE, LL.B. (Camb.), Barrister-at-Law. Williams & Norgate. 6s. net.

Poor Suitors.—The Practice of "Poor Persons" Cases in the Supreme Court of Judicature, England and Wales. By ADRIAN H. HASSARD-SHORT, Secretary to the London Prescribed Officers (Poor Persons). Stevens & Haynes. 2s. 6d. net.

Diary.—The Solicitors' Diary, Almanac and Legal Directory, 1917. 73rd year of publication. Waterlow & Sons (Limited).

Diary.—The Legal Diary and Almanac, 1917. 38th year of publication. Waterlow Brothers & Leyton (Limited).

The Law Quarterly Review. October, 1916. Edited by the Right Hon. Sir FREDERICK POLLOCK, Bart., D.C.L., LL.D. Stevens & Sons (Limited). 5s. net.

Case and Comment. The Lawyers' Magazine, October, 1916. Lawyers' Co-operative Publishing Co., Rochester, New York. 15 cents.

Council of Legal Education Calendar, 1916-17. Offices of the Council, Lincoln's Inn. 2s. 6d.

Correspondence.

Lighting Regulations and the Legal Day.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—Is it not possible to obtain an emergency revision of ord. 64, r. 11, which prescribes that service of summonses, &c., shall be good for the day of service if effected before the hour of six? I am informed that the hour of four obtains in Canada for the like purpose, and in these days of stringent lighting regulations and dark streets it would be of distinct advantage if our own limit of time could, for the winter months at least, be changed to five. Perhaps the Law Society will move in the matter.

CITY SOLICITOR.

November 1.

The Retirement of Judges.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—I am sorry that the Government did not accept the generous proposal of Sir W. G. F. Phillimore, and regret any annoyance caused to him by my letter.

I still hope that resignations will not be announced at the beginning of Michaelmas term. E. T. HARGREAVES.
80, Coleman-street, London, E.C., October 31.

Enemy Properties in Nigeria.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—With reference to the sale of the above properties, I would call attention to the fact that in such particulars and conditions of sale as have come under my notice of enemy properties, consisting of shares in companies, and which have been ordered to be sold under the Trading with the Enemy Amendment Act, 1916, by order of the Public Trustee, the following provisions are made:—

"Every purchaser must be a natural-born British subject, and will be required to make and hand to the auctioneers a statutory declaration to this effect in the form annexed to these particulars."

The conditions of sale contain the following clauses:—

"1. In the form of declaration attached to the particulars 'enemy' has the same meaning as it has in the Trading with the Enemy Proclamation No. 2.

"'Foreigner' means any person who is neither a British subject resident nor carrying on business in some part of His Majesty's dominions.

"'Foreign corporation' means any corporation which is neither a corporation established under and subject to the laws of some part of His Majesty's dominions, and having its principal place of business in those dominions, nor a corporation established under and subject to the laws of France." (I do not quite appreciate the reason of this exception of one allied nation.)

"'Corporation under foreign control' includes:—

"(a) A corporation of which the majority of the directors, or persons occupying the position of directors by whatever name called, are foreigners as above defined.

"(b) A corporation, shareholders in which holding shares or stock conferring a majority of the votes, are foreigners or foreign corporations, or persons who hold directly or indirectly for foreigners or foreign corporations as above defined.

"(c) A corporation which is by any other means whether of a like or a different character in fact under the control of foreigners or foreign corporations as above defined.

"(d) A corporation the executive whereof is a corporation within (a), (b) or (c)."

I cannot at all understand why some such conditions have not been adopted in the case of the sale of the Nigeria properties. A considerable portion of the properties in question consisting of freehold and leasehold premises and sites, I should have thought that, *a fortiori*, some such conditions should anyhow have been imposed. I, however, sincerely hope that the authorities will consider the position and entirely exclude subjects of Allied or friendly nations from bidding or any British subject bidding on their behalf.

I would venture to crystallize the view I have put forward in the form of the phrase, "The British Empire for the subjects of the British Empire." Whatever decision is arrived at, surely the proper course is again to postpone the sale so as to allow time for the particulars and conditions to reach the British Overseas Dominions and English Colonies.

RICHARD KING.

181, Temple-chambers, E.C., November 2.

CASES OF THE WEEK.

House of Lords.

LOCHGELLY IRON AND COAL CO. (LIM.) v. HEPBURN OR KIRK.

30th October.

WORKMEN'S COMPENSATION—MINER FOUND UNCONSCIOUS AT HIS WORK AND DYING ON SAME DAY—NOTICE OF ACCIDENT NOT GIVEN TILL NINE DAYS AFTER DEATH—NO REASONABLE CAUSE FOR DELAY—NO EVIDENCE THAT EMPLOYERS WERE PREJUDICED IN FACT—AWARD—WORKMEN'S COMPENSATION ACT, 1906 (6 ED. 7, c. 58), s. 2 (1).

On the hearing of a claim by the widow of a miner, the employers conceded that the man's death was due to injury by accident arising out of and in the course of the man's employment, but they denied liability, on the ground that no notice of the accident had been given until nine days after the man died. The Sheriff-Substitute awarded compensation, and his decision was upheld by the Second Division, upon the ground that, although notice had not been given as soon as practicable, and that there was no reasonable cause shown for the delay, the applicant was entitled to compensation on the finding by the arbitrator that the employers had not, in fact, been prejudiced by the delay in giving notice.

Held, that there being evidence on which the arbitrator could find as he did, and no apparent mistake of law on the face of the award, this House had no jurisdiction to review the award, and the appeal failed.

Decision of the Second Division of the Court of Session (1916, 1 Sc. L. R. 133) affirmed.

Appeal by employers from an interlocutor of the Second Division of the Court of Session, upholding an award by the Sheriff-Substitute Umpherston, sitting in the Sheriff Court of Fife and Kinross, at Dunfermline. The claim was made by the widow of a miner named David Kirk, who, on 28th December, 1914, went to work in apparently good health at the appellants' pit. He assisted, with two other men, to put up an empty hutch by means of a rope. The lowness of the roof compelled the men to work in a crouching position, and when the hutch had been got up, he complained that the work had tried him. He was advised by his mates to sit down for a while and smoke a pipe. He said he would do so. When the men returned a few minutes later they found him lying in a position that indicated that he had sat down and had fallen over. He was then unconscious, and although, after he was got home, he regained consciousness, he died that evening from heart failure. On the evening of that day the local delegate of the Miners' Union saw the widow, and asked her if she wished the union to attend to the matter of compensation. She replied that she did, and left the matter in the hands of the union delegate. It was not until nine days later that notice of the accident was given to the Mineowners' Defence Association. At the hearing of the claim the medical witnesses for the applicant ascribed Kirk's death to heart failure caused by strain, but the medical witnesses for the company were of opinion that death was due to cerebral hemorrhage. The arbitrator found that death was due to heart failure and was an accident within the meaning of the statute; that notice was given as soon as practicable after the accident, and that the company had not been prejudiced in their defence by want of notice. The judges of the Second Division of the Court of Session, though differing on the question whether notice was given as soon as practicable, were unanimously of opinion that the arbitrator had evidence before him that the appellants had not been prejudiced, and that the arbitrator was entitled to award compensation. On the hearing of the appeal, counsel for the appellants were alone heard.

Viscount HALDANE, in giving judgment, said the only question was whether the arbitrator was entitled to find that the employers had not been prejudiced by delay in giving notice. It was not the practice in that House to look upon appeals brought under this Act with much favour. It was obviously the intention of the Legislature that the Sheriff should dispose of the case in that summary fashion which was appropriate to proceedings of this kind; but if the statute had not been complied with, everybody had his right to bring before the courts, and the ultimate tribunal, if necessary, the fact that there had been a want of compliance. That, however, as had often been laid down in that House, was limited by the consideration that, in order to succeed in setting aside the finding of the arbitrator, it had to be shown that there was no evidence at all on which the arbitrator could reasonably proceed, or that on the face of the award there was an apparent mistake in law. It was plain in this case that there was evidence on which the Sheriff-Substitute could find, as he had done, that the appellants were not prejudiced by the absence of notice.

Lords KINNEAR, SHAW, and PARMOOR concurred, and the appeal was dismissed, with costs.—COUNSEL, for the appellants, R. S. Horne, K.C., and Colin Smith (for H. W. Beveridge, serving with H.M.'s forces); for the respondent, The Lord Advocate (R. Munro, K.C.) and D. R. Scott. AGENTS, Beveridge, Greig, & Co., for W. T. Craig, Glasgow, and Wallace & Begg, Edinburgh; P. F. Walker, for Macbeth, Macbain, & Currie, Dunfermline, and Macbeth, Macbain, Currie, & Co., S.S.C., Edinburgh.

[Reported by ESKINE RAID, Barrister-at-Law.]

Court of Appeal.

Re WILLIAMS. WILLIAMS v. BALL. No. 1. 25th October.

INSURANCE—LIFE POLICY—DISPOSITION—AUTHORITY TO RECEIVE MONEYS INDORSED ON POLICY—NO COMPLETED ASSIGNMENT—POWER OF ATTORNEY AVOIDED BY DONOR'S DEATH.

The holder of a policy of insurance on his own life handed it to A B, having indorsed upon it a memorandum authorizing A B to draw the policy moneys in the event of the holder predeceasing her. No consideration for a transfer was given, nor any notice to the company. The event having happened,

Held, there was no complete assignment to A B. The document was a mere power of attorney, which determined on the death of the assured.

Appeal by the defendant from a decision of Astbury, J., on an originating summons. The testator had taken out a policy of insurance on his life in the Mutual Life Insurance Co. of New York to secure £1,000. Soon after the date of the policy he handed it to his housekeeper, Ada M. Ball, saying that he intended it for her. She, after keeping it some days, handed it back, at the same time telling him that there was nothing on it to give her any title to the policy moneys. He thereupon indorsed on the back the following words:—"I authorize my housekeeper, Ada Maude Ball, and no other person, to draw this policy money in the event of my predeceasing her, this being my sole desire and intention at the time of taking out this policy, and this is my signature." The testator signed this over a penny stamp. No consideration was given, nor any notice to the insurance company. The testator predeceased the defendant, and his executors took out the present summons to determine whether this constituted a valid assignment of the policy moneys, and also a question arising on his will which does not call for a report. Astbury, J., held that there was no valid assignment on the grounds of lack of consideration and failure to comply with the Policies of Assurance Act, 1867. The defendant appealed.

The Court dismissed the appeal.

LORD COZENS-HARDY, M.R., having stated the facts, proceeded: The question was what was the effect of the document; was it an absolute assignment? In his lordship's opinion it was not an assignment at all. The question as to the effect of a voluntary gift always involved the consideration of the form used by the donor to carry out the gift. The case of a transfer of shares in a limited company, or of Consols, might be instanced; it was quite clear that a mere letter not under seal would not be a complete assignment; the donor would not have done all he could do to perfect the transaction. Of course, if there had been consideration given, the position might have been different. If anything, the document seemed to be a mere power of attorney given to Miss Ball, which, however, ceased to operate on the donor's death. Then there was a further point. The document also seemed to be a testamentary instrument only, to take effect in the event of the donor predeceasing the donee. His lordship asked counsel in the course of the argument whether there was anything she could have done between the date of that document and the date of the testator's death to get or transfer the policy moneys, and he answered that he thought not. It seemed quite plain that the transfer could not be supported on any of the grounds on which it was sought to be. It was not a gift. The appeal must be dismissed, though not for precisely the same reasons as those given by the learned Judge below.

WARRINGTON, L.J., delivered judgment to the same effect, referring to *Milroy v. Lord* (4 De G. F. & J. 264), and observing that the mere form of words used was immaterial, providing the words shewed a definite intention to transfer the policy there and then to the donee, and

SCRUTTON, L.J., concurred.—COUNSEL, Owen Thompson; Dighton Pollock; Percy Wheeler; J. F. Carr (for H. A. Hind, serving in H.M. forces). SOLICITORS, M. A. Orgill, for Llewellyn & Sons, Tunstall; Henry Clarkson & Son, for W. Huntbach, Hanley.

[Reported by H. LANGFORD LEWIS, Barrister-at-Law.]

High Court—Chancery Division.

Re MOXON (Deceased). Re TRUSTEE ACT, 1893. Re PUBLIC TRUSTEE ACT, 1906. Sargant, J. 26th and 27th July; 13th October.

WILL—SOLE TRUSTEE—PROVISION FOR NOT LESS THAN THREE TRUSTEES—POWER TO APPOINT PUBLIC TRUSTEE TO BE SOLE TRUSTEE.—TRUSTEE ACT, 1893 (56 & 57 VICT. C. 53), SS. 10 AND 25—PUBLIC TRUSTEE ACT, 1906 (6 ED. 7, C. 55), S. 5, SUB-SECTIONS 1 AND 3.

The Public Trustee Act, 1906, does not merely add to the existing statutory powers of appointing new trustees, but is a positive and independent enactment enabling the appointment of the Public Trustee as sole trustee on every occasion on which a private trustee could be appointed. Section 5, sub-section 1, of the Public Trustee Act, 1906, creates a new and independent power of appointment, and is not restricted in its operation by section 10, sub-section 5, of the Trustee Act, 1893.

Re Leslie's Hassop Estates (1911, 1 Ch. 611) followed.

A provision in the will that the trustees should not be "reduced below three" is not a "direction to the contrary" within section 5, sub-section 3, of the Public Trustee Act, 1906.

This was an originating summons taken out by the trustees of a will to have it determined whether they had the power to appoint the Public Trustee sole trustee in their place, or, in the alternative, if they had no such power, that the Court should so appoint him. The testator, who died fifteen years before the passing of the Public Trustee Act, 1906, gave his residuary estate to his wife and two other persons upon certain trusts immaterial to this report, and he also appointed them his executors. There was an express power in the will for the wife during her widowhood, and in case of her re-marriage, for her and the surviving or continuing trustees or trustee, or for the last retiring trustees or trustee, to appoint new trustees thereof, provided that upon any such appointment the number of trustees might be augmented or reduced so that the number should not be raised above four or reduced below three. The widow died in 1915, and the two surviving trustees wished to retire and appoint the Public Trustee in their place. The Public Trustee was willing to act if he could be validly appointed as sole trustee, and the beneficiaries under the will wished him appointed. Counsel for the trustees argued that the Public Trustee could be appointed sole trustee by virtue of section 5, sub-section 1, of the Public Trustee Act, 1906, which created a new statutory power altogether untrammelled by the restriction of section 10, sub-section 5, of the Trustee Act, 1893, and they referred to the dictum of Eve, J., in *Re Leslie's Hassop Estates* (supra), as confirming their view. On the other side it was argued (1) that the appointment could only be made subject to the restriction in section 10, sub-section 5, of the Trustee Act, 1893; and (2) that if this were not so, the provision in the will that the trustees should not be "reduced below three" was a "direction to the contrary" within sub-section 3, of section 5, of the Public Trustee Act, 1906.

SARGANT, J.—This summons raises the important question whether persons having the statutory power of appointing new trustees of a will can appoint the Public Trustee as the sole trustee of the will, notwithstanding that the will contains a provision that upon any appointment of new trustees the number is not to be reduced below three. In the case of *Re Leslie's Hassop Estates* (supra) Eve, J., has expressed a clear opinion in favour of such an appointment. But the actual decision in that case was merely that the Court could make such an appointment, and the relevant statutory provisions are not precisely the same in the case of an appointment by the Court, as in the case of individual appointors. Here the persons proposing to make the appointment are the retiring trustees themselves, and inasmuch as both they and the beneficiaries under the settlement are desirous that the appointment should be made, there has been some difficulty in securing an effective argument against the proposed appointment. But by arrangement the Public Trustee has been served with the summons, and Mr. Sheldon, on his behalf, has assisted me by pointing out very effectively such objections as there are to the appointment. Though I have not been convinced by his arguments, yet out of respect to them, and because of the general importance of the question, I have thought it well to put the reasons for my judgment into writing. Mr. Sheldon's objections were two in number. The first was that on its true construction section 5 of the Public Trustee Act merely brings the Public Trustee within the scope of the statutory power contained in section 10 of the Trustee Act, and enables his appointment under that section; that accordingly any such appointment of the Public Trustee is subject to all the restrictions of section 10, including those in sub-section 2 (c) and sub-section 5, and that in the present case these last restrictions clearly prohibit the appointment now proposed. I am, however, of opinion that the first link in this chain of reasoning is defective. It seems to me that section 5 of the Public Trustee Act, 1906, is not merely by way of addition to the statutory power, but is a positive and independent enactment enabling the appointment of the Public Trustee on every occasion on which a private trustee could be appointed. For instance, after, as well as before, section 5 of the Trustee Act, 1893, or its legislative predecessors, such as section 31 of the Conveyancing Act, 1881, section 5 of the Conveyancing Act, 1882, and section 6 of the Conveyancing Act, 1892, there are cases in which the power of appointing new trustees rests entirely on the provisions of the will or settlement in question, and is wholly independent of any statutory power. And the language of section 5 of the Public Trustee Act, 1906, obviously allows the appointment of the Public Trustee in these cases, as well as in the cases governed by the general legislation. It is true that the occasion of appointment, the manner of appointment, and the persons appointing are to be the same in the case of the Public Trustee as in the case of any other trustee. But this was, in the main, necessary to prevent conflict or overlapping, and in any case the use of referential words of this kind is sufficiently explicable by reasons of convenience, and is not of itself enough to convert into a mere modification or extension of the statutory power that which is, on the face of it, a power separate from and independent of the statute. Indeed, though it may not be necessary to go so far in this particular case, I am inclined to adopt the broad general view suggested by Mr. Hall that (subject, of course, to the restrictions imposed by sub-sections 3 and 4) sub-section 1 enables the Public Trustee to be appointed in all cases of appointment as the sole trustee, and sub-section (2) enables the Public Trustee to be left in all cases of retirement as the sole trustee. On this view of the effect of section 5 of the Public Trustee Act, 1906, it is unnecessary for me to consider whether the terms of sub-section 1 of that section are in themselves sufficient to override in this respect the provisions of sub-section (5), of section 10, of the Trustee Act, 1893. But in saying

this I must not be understood as in any way dissenting from the view expressed by Eve, J., that they are sufficient. Mr. Sheldon's second objection was the more obvious one, that this provision in the settlement that the number of trustees is not to be reduced below three is a direction to the contrary within the meaning of sub-section 3, of section 5. It is, however, to be observed that the direction to the contrary, which is dealt with by the sub-section, is primarily, at all events, a direction entirely prohibiting the appointment of the Public Trustee, and has no special reference at all to his appointment as a sole trustee. The language is very different from that of sub-section 5 of section 10, of the Trustee Act. Here it is admitted that, apart from the question of number, there is nothing whatever to prevent the appointment of the Public Trustee as one of the trustees of the will. And even if the provision in the will is to be deemed a direction that the Public Trustee, like any other trustee, is to be one of not less than three (which I very much doubt, having regard to the entirely new constitution and position of the statutory corporation constituted by the Public Trustee Act), I am of opinion that this direction is surmounted by the concluding words of sub-section 1, of section 5, of the Act, and is not a direction to the contrary within the true meaning of sub-section 5 of section 10. Accordingly, I propose to declare that on the true construction of the will, and in the events which have happened, the applicants have power to appoint the Public Trustee sole trustee of the will in their place.—COUNSEL, *Mark L. Romer, K.C., and B. A. Hall; Sheldon. SOLICITORS, J. Theodora Goddard & Co.; Fultons.*

[Reported by L. M. MAY, Barrister-at-Law.]

New Orders, &c.

New Statutes.

On 31st October the Royal Assent was given to the following Acts:—
The Consolidated Fund (No. 5) Act, 1916.
The Larceny Act, 1916.

War Orders and Proclamations, &c.

The *London Gazette* of 27th October contains the following:—

1. An Order in Council, dated 27th October, varying the Statutory List under the Trading with the Enemy (Extension of Powers) Act, 1915, by removing from the United States list the Petroleum Products Company of California, Inc., San Francisco, California.

2. A Foreign Office Notice, dated 27th October, that certain additions have been made to the lists published as a supplement to the *London Gazette* of 14th August, 1916, of persons to whom articles to be exported to China and Siam may be consigned.

3. A Notice that orders have been made by the Board of Trade under the Trading with the Enemy Amendment Act, 1916, requiring four more businesses to be wound up, bringing the total to 344.

The *London Gazette* of 31st October contains the following:—

4. A Notice that appointments have been made to the Appeal Tribunals under the Military Service Act, 1916, as follows:—Counties of Cumberland and Westmorland (1), County of Oxford (3), the North Riding of Yorkshire (1).

5. A Notice that an order has been made by the Board of Trade under the Trading with the Enemy Amendment Act, 1916, requiring another business to be wound up, bringing the total to 345.

6. An Admiralty Notice to Mariners, dated 24th October (No. 1181 of the year 1916), England, East Coast, defining the limits of prohibited anchorage at Harwich Harbour Entrance.

Evening Closing of Shops.

A new Order for the earlier closing of shops, in place of the Order of 24th October, which fixed 7 o'clock as the closing hour on the first four days of the week (*ante*, p. 30), was issued on the 27th ult. It differs from the previous Order in—

(1) Fixing 8 p.m. as the closing hour on every day of the week other than Saturday or the day of the weekly half-holiday.

(2) Extending the exemption for meals consumed on the premises to include any refreshments consumed on the premises and tobacco supplied at a meal for immediate consumption.

(3) Adding an exemption for the sale of motor or cycle supplies or accessories for immediate use, so long as the shop is kept open and lighted only for such time as is necessary for serving the customer.

Where a shop is already required by any Order under the Shops Act to close on any day at an earlier hour than 8 (Saturday 9), it will still be required to do so.

Controlled Establishments.

The Minister of Munitions announces that he has made further orders under the Munitions of War Acts under which seventy-four additional establishments have been declared controlled establishments. The total number of controlled establishments is now 4,390.

A League of Peace.

The following letter from Lord Bryce appeared in the *Times* of the 27th ult. :—

Sir,—As my friend Professor Gilbert Murray says in your columns to-day, Lord Grey of Falloden's statement of our case in this war is complete and convincing. Our conscience is clear. Our cause is indisputably the cause of right. That is why the whole British people is united as it was never united in any war before in its resolve to prosecute the war to a victory so decisive as to destroy that system of aggressive militarism which has brought these calamities upon the world. This has been my own feeling from the first; but if any persons have doubted they must surely have ceased to do so after watching the detestable methods by which the Central Powers have carried on warfare.

But the point on which I desire to say a word is the question mentioned by Lord Grey which Professor Murray's letter emphasises. Are the neutral nations prepared to undertake and fulfil the responsibilities which the formation, after the war and after the treaty of peace, of a permanent League of Peace would impose upon each of those who had joined it? This question is, of course, specially important as regards the greatest of neutral nations—the nation from whose statesmen the suggestion of such a League (agreeing in principle with what Mr. Asquith said two years ago) has now come.

No one can venture at this moment to predict what the opinion or action of the people of the United States may be after the war has ended, for it is only then that the question can arise in a practical form. But I wish to point out the immense importance of the declarations made by Mr. Wilson and Mr. Hughes as the leaders of the two great American parties. Both have declared that America can no longer maintain her old policy of isolation. Both have described in clear and strong terms the interest the American people has in the prevention of war, and the duty which lies upon it as a peace-loving people to do its utmost for securing the safety of the world in future by a permanent combination for the restraint of aggression and the preservation of a general peace. No dissent from these views has, so far as I know, come from any responsible quarter in America. It is the one point mentioned in the Presidential Election on which no disagreement has arisen. Ought not these declarations to be welcomed by

THE HOSPITAL FOR SICK CHILDREN,

GREAT ORMOND STREET, LONDON.

ENGLAND'S greatest asset is her Children.

This Hospital finds itself hampered for want of funds to enable it, by saving infant life, to exert greater effort to counterbalance the drain of War upon the manhood of the Nation.

Read what the Men at the Front say:—

"I beg to enclose a cheque for £22 as a gift to the Great Ormond Street Children's Hospital from the Honourable Artillery Company, being the proceeds of a collection made at the Front. I trust the noble work of the Hospital goes on apace."

"It would have cheered you to see how generously the Officers and Men emptied their pockets in response to the call of the children at home; for nearly every soldier has something of the child's heart in him."

Will you also please remember "the call of the Children."

Forms of Gift by Will to this Hospital can be obtained on application to—

JAMES MCKAY, Acting Secretary.

the public opinion of this country as they have been welcomed by Lord Grey? Do they not suggest that as soon as the end of the war comes in sight we should endeavour, in conjunction with the distinguished statesmen who are leading the movement in America, to consider how such a League of Peace should be formed and what its functions should be? The obstacles are great, but the gain if they were overcome would be inestimable. If the risks of war and the preparations for war are to be in Europe for the next thirty years what they have been for the last thirty, dark indeed is the prospect for mankind. In the establishment of such a Peace League as Lord Grey agrees with Mr. Wilson and Mr. Hughes in desiring lies the best hope that some permanent good for the future may come out of the sufferings and the horrors of the present.

Sir Frederick Pollock, says the *Westminster Gazette*, in an address on Monday night at the Manchester University on "The Problem of International Relations," sketched the outlines of a scheme for a League of Peace among the nations.

Sir Frederick, after dealing with the historical side of international relations, said the solution of the difficulty towards which there seemed to be a convergence of competent opinions approaching general consent to the principle was a League of Peace, within which all parties would be bound to refer their differences to judicial determination or conciliation, and not to attempt to force their claims without judgment. Any member of the League so offending would become thereby a manifest wrongdoer, and would be treated as an enemy by the whole League, and be restrained by whatever means of coercion should be judged appropriate and sufficient. Every member of the League would undertake to render aid in reasonable proportion to its resources, and having regard to its special means and opportunities and other circumstances. The members would likewise enter into a mutual covenant of assurance against attack from any Power outside the League. By provisions of that kind our ancestors established the reign of law in the Middle Ages after a period of terrible confusion and weak executive authority.

Such a method was not speculative or chimerical. It was commended by practical statesmen and had been admirably expounded by Mr. Taft, sometime President of the United States. Our own Government appeared to favour it. The point that chiefly required elaboration was the provision of an executive authority capable of prompt action. For it was idle to talk of the members of a League of Peace beginning to concert measures of repression when an invader was already on the march. Therefore the future league of law-abiding nations would be furnished not only with judicial and deliberative organs, but with a standing executive council and an expert general staff ready to advance the direction of the common power on the council's requisition.

"All this," said Sir Frederick, "presupposes the making of a definite peace between the present belligerents. The date of that event is uncertain, but I am sanguine enough to hope that in the compass of five or ten years after it, those of us who are still living may see the foundations of an authentic international law, protected by organised international justice, well and truly laid."

The Reichstag and Preventive Arrests.

A Reuter's message from Amsterdam, dated 29th October, says:—In the Reichstag yesterday several speakers attacked the German system of preventive arrest.

Herr Riesser, a National Liberal, said:—"At present there are 424 persons under preventive arrest, of whom 189 are suspected of espionage; in addition, there are 1,053 cases of restriction of residence. Many distinguished men under this arrest have contracted mental disease. In two cases they have even been refused a change of linen, and a son, on returning from the front, was not allowed to see his father, who was under arrest. Another arrested man was not allowed to attend his wife's funeral."

Herr Dittmann (Socialist) denounced the system as a political weapon used against the Opposition parties. He referred to the arrests of Dr. Franz Mehring and Rosa Luxemburg, and added that girls of seventeen and eighteen had been under arrest for three and a half months for distributing handbills advertising a demonstration on behalf of Dr. Liebknecht. "The father of these girls is at the front."

Dr. Helfferich, the Minister of the Interior, in reply, defended the system of preventive arrest. He said:—"Mehring was implicated in the preparation of so-called peace demonstrations. I prefer that Mehring should be under arrest than that dead should lie on the Potsdamer Platz." Farther on in his speech, however, Dr. Helfferich said that if Herr Dittmann's revelations were true, he condemned the action of the officials concerned.

Lapsed Assurance Policies.

In the House of Commons on Wednesday Mr. Runciman, replying to Major Hunt, who asked whether 2,312,000 assurance policies had been lapsed by the Prudential Assurance Co. alone during the last two years, and that he would have an independent inquiry instituted on the lapsing of policies and on the way in which the assurance companies had evaded

the Courts (Emergency Powers) Act, 1914, said:—"The figure given in the hon. and gallant gentleman's question is in accordance with the particulars appearing in the published reports of the Prudential Assurance Co. (Limited), except that the number appears to include surrenders of policies in the ordinary branch, and I am informed by the company that it also includes policies which have been discontinued when a fully paid-up policy has been issued and policies on which no premiums have been paid. I understand that two-thirds of the lapsed policies had been in existence less than a year, and three-quarters less than two years. As the hon. and gallant member is aware, the Courts (Emergency Powers) Act prevents the lapsing of industrial policies for amounts not exceeding £25, on which premiums have been paid for two years, without the consent of the Court. I am considering whether any additional safeguards are required besides those contained in the Act."

Major Hunt: Is the right hon. gentleman aware that instructions have been issued to agents by superintendents that where payments got into arrears new policies were to be issued, and is the effect of this that the old policy lapses and the insurance company get out of paying any, or almost any, money on the old policy? Mr. Runciman: I was not aware of the instructions having been issued. If the hon. and gallant member will give particulars of cases I will have them inquired into. Mr. Booth: Is the right hon. gentleman aware that the company is honouring its policies with regard to soldiers and sailors who meet with death, though not legally bound to do so, and is making gratuitous payments to the extent of hundreds of thousands of pounds? Mr. Runciman: I don't know the amount of the allowances made, but the company have informed me they are making allowances.

The Treatment of Criminals.

At the annual meeting of the Police Court Mission of the Church of England Temperance Society, held in the Middle Temple Hall on Tuesday, the Bishop of Willesden, who presided, read a letter received from Lord Stamfordham, in which he said:—"I have spoken to the King, and His Majesty approves of your stating at to-morrow's meeting on behalf of the Police Court Mission that their Majesties highly appreciate the admirable work of the mission." Letters were also read from Queen Alexandra and the Bishop of London expressing sympathy with the work.

Lord Parmoor, speaking on the reform of the criminal, mentioned that some years ago, as chairman of a Court of Quarter Sessions, he gave a term of imprisonment to an old offender, but he arranged to take the man into his employment on his coming out of prison. He had employed the man for several years, and never was there a man who in every sense was more thoroughly reformed. Reform could never be accomplished until sympathy with offenders was shown in those practical ways that would enable individuals to begin new lives. He was convinced that national morality depended on maintaining home life on its proper basis. Venereal disease increased enormously under war conditions. What was needed by society was the compulsory detention in a special hospital of every convicted criminal who was suspected by police-court missionaries to be a sufferer from venereal disease.

Sir John Dickinson, speaking from twenty-six years' knowledge of the Mission, said that its work had increased since the war began owing to the large number of girls, aged between sixteen and twenty-one, and boys, aged between ten and twenty, who had passed into the Courts as offenders. The work of the Mission was essentially war work.

The Slingsby Baby Appeal.

In the House of Lords on Tuesday, says the *Times*, in the case of *Slingsby* (by his guardian *ad litem*) v. *Attorney-General and Others*, before Lord Haldane, Lord Kinnear, Lord Shaw of Dunfermline, and Lord Parmoor, Mr. Schiller, K.C., on behalf of the appellant, applied for a postponement of the hearing of the appeal for six months. The ground of his application was that for the moment Mr. Slingsby, the guardian *ad litem*, was not in a position to raise the necessary funds. Mr. Slingsby was a retired naval officer, but on the outbreak of the war he had offered his services to the nation, and was at present in command of a mine-sweeper. He was tenant for life of certain estates, which produced an income of about £5,000 a year. Those estates were now in the course of being sold, and it was expected that the sale would result in an increase in his income.

The hearing before Mr. Justice Bargaive Deane, who decided in favour of the petitioner, occupied fourteen days, and the hearing before the Court of Appeal occupied eighteen days. The Court of Appeal reversed the judgment of Mr. Justice Bargaive Deane (see 32 *Times Law Reports*, 364), and by their order Mr. Slingsby, as guardian *ad litem*, was called upon personally to pay the costs of the appeal. Those expenses were extraordinarily heavy, and to meet them he had been compelled to insure his life for a large amount. In the special circumstances of the case counsel asked the House to accede to the application.

Mr. J. M. Gover, on behalf of the persons cited, opposed the application, but in answer to a suggestion from Lord Haldane he said that he did not object to a postponement for one month.

Mr. Pilcher appeared for the Attorney-General. Lord Haldane said that their lordships were all of opinion that it was contrary to principle to postpone the hearing of this appeal for six

months, but, Mr. Gover not objecting, they would allow a postponement of a month, and would order that the case should not be in the paper before 1st December.

Obituary.

Mr. George Elliott, K.C.

We regret to record that Mr. George Elliott, K.C., died in a nursing home in London on the 27th ult., at the age of fifty-six. Although, says the *Times*, he had been suffering for some months from an illness which led his friends to fear the worst, the announcement of his death—made in the Divisional Court upon the calling of a case in which he had held a brief—came as a shock to those present, and elicited a fitting tribute of sorrow from the Lord Chief Justice. In a moment the memory became poignant of his quiet eloquence, his imperturbable good humour, his geniality and complaisance of manner, and, in short, all the gifts of good fellowship that were his. Those members of the public who had not the privilege to be classed among his friends will remember him as a successful advocate in the criminal courts for many years.

Mr. Elliott was born at Luton in 1860, and after receiving his education at Mill Hill School he read for the Bar. He was called by the Inner Temple in 1882, and when he was little more than twenty-one years of age he entered the chambers of Sir Edward Clarke. His practice on the South-Eastern Circuit grew quickly, and he soon gained a reputation for his knowledge of the Licensing Acts and practice and of the criminal law. At the Old Bailey he leaves a long and conspicuous record. There and elsewhere he held briefs in a large number of cases which attracted a widespread public interest. Among these were the cases of the Diamond Jubilee Syndicate frauds, the trials of the Moat Farm murderer, of Chapman, the poisoner, Devereux (the "trunk case"), and Rayner, the murderer of Mr. Whiteley. He also appeared for the accused in several of the recent spy trials, including those of Lody and Müller. In every case in which he was engaged his advocacy, though not brilliant, was marked by skill, acuteness, and common sense; and he brought to his work a sympathetic mind that was well acquainted with human nature. On that account, where the arts of reasoning were unlikely to prevail, few members of the Bar have been able to rival his eloquence in appeals *ad misericordiam*.

Mr. Elliott took silk in 1909. He stood twice as Unionist candidate for South Bedfordshire, without success. He married, in 1889, Charlotte, youngest daughter of Mr. Frederick Farr, a surgeon, and he leaves two sons (the elder of whom is serving in Mesopotamia) and three daughters.

On Wednesday afternoon a memorial service for Mr. Elliott was held at St. Clement Dane's Church, Strand. Among those present were: Sir Edward Clarke, Mr. A. H. Bodkin, Mr. Travers Humphreys, Mr. H. F. Dickens, K.C., Sir Charles Mathews, Mr. Marshall Hall, K.C., Mr. H. Courthope-Munroe, K.C., Mr. C. F. Vachell, K.C., Mr. Curtis Bennett, Sir Henry Birchenough, Sir Forrest Fulton, Admiral and Mrs. Rudd, Mr. G. Crispe Whiteley, and Sir Albert Bosanquet. An address was delivered by the Rev. Stewart F. L. Bernays, M.A., Rector of Stanmore, who spoke in feeling terms, which appealed to all his hearers, of the sincerity and simplicity of Mr. Elliott's religious and social life.

Mr. Thomas Jones.

The death took place on Sunday, the 22nd ult., at the age of seventy-eight years, of Mr. Thomas Jones, solicitor, Portmadoc, a well-known lawyer-poet in North Wales, whose bardic title was "Cynhaiarn." He had been in failing health for some years. On Thursday night he had a seizure, and passed away without recovering consciousness.

Mr. Thomas Jones, says *The Cambrian News*, who was a bachelor, was a native of Pwllheli, and was educated at Penlleiniaw National

School, Pwllheli. At the age of twelve he entered the service of Mr. Ebenezer Morris Roberts, solicitor, Pwllheli, as a clerk. A few months later he accepted a clerkship with Mr. J. Humphreys Jones, Portmadoc. In his earlier years he studied for the Welsh Congregational ministry, and preached at a number of chapels round Portmadoc, but eventually decided on a legal career, and was articled to Mr. J. Humphreys Jones. He qualified as a solicitor in the year 1867, and entered into partnership with Mr. Humphreys Jones, the firm taking the style of Jones & Jones. On the death of Mr. Humphreys Jones in 1885, Mr. Thomas Jones succeeded him as County Court registrar for Portmadoc and Blaenau Ffestiniog circuits, an appointment which he held up to his death. Another appointment which he filled for a long period was that of clerk to Criccieth Local Board and Urban Council, which he held from the formation of the Board in 1872.

He was regarded as one of the soundest lawyers in North Wales, and was family solicitor to several estates in Carnarvonshire and Merioneth. He took up advocate's work for a few years after qualifying, but his forte lay in conveyancing and equity work, and he gave up advocate's work after the year 1890.

Cynhaiarn had a literary gift of a high order, and was regarded as an eminently sound critic of Welsh literature and poetry. Without doubt, had he applied himself seriously to Welsh literature he could have achieved much fame. But he contributed comparatively little to Welsh poetry and literature, and possibly the strong vein of humour which he possessed had much to do with that. He was the embodiment of humour and geniality, and his wit and power of repartee were the delight of his friends. His most ambitious literary effort was a *cywydd*, which he sent in 1890 to Bangor National Eisteddfod on "The Infidel," which took second place. Two years later he took the prize at the Rhyll National Eisteddfod for a satirical poem on "The Plagiarist." He was a National Eisteddfod adjudicator on several occasions. He edited the works of the well-known Welsh poet, Ivan Madog, and wrote an able biography of the deceased bard. Most of the writings of Cynhaiarn were in the lighter vein. His most noted effort was a humorous ballad, entitled "Wil Ellis." He was a member of the noted Cefnwynedd Literary Society, conducted by Ellis Owen, an antiquarian of national repute.

A few years ago Mr. Thomas Jones's legal friends in North Wales made him a presentation of a handsome set of solid silver candelabra in token of their esteem. The presentation was made at Portmadoc County Court, the gift being handed over by the late Mr. Randal Casson, and a graceful tribute to Cynhaiarn's personality was paid by Judge William Evans, who was an intimate friend of Mr. Thomas Jones, and invariably stayed with him when on circuit.

Mr. Thomas Jones was a faithful member of and a generous contributor to the local Congregational Chapel. He delighted in Sunday school work, and was a teacher there for half a century. Politically he was a staunch Conservative, and was vice president of the Portmadoc Conservative Club.

Qui ante diem perliit,
Sed miles, sed pro patria.

Second Lieutenant Allan G. Condi.

Second Lieutenant ALLAN GEORGE CONDI, Border Regiment, was the only son of the late Frederick Condi, of Corfu, and Mrs. Condi, of Mulcaster-crescent, Carlisle. Born in 1896, he was educated at St. Bees School, where he was in the O.T.C. He left school in August, 1914, and shortly afterwards was articled as a solicitor to his cousin, Mr. C. W. Allan Hodgson, clerk of committees to the Cumberland County Council. He obtained his commission in September, 1915, and went to the front last February. His commanding officer writes:—"He was gallantly leading his men in an attack on the German trenches. . . . His comrades mourn your son's loss very deeply."

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TELEGRAMS: "WHITELEY, LONDON."

Second Lieutenant William C. Hales.

Second Lieutenant WILLIAM CLIFFORD HALES, R. Berkshire Regiment, who was killed on 23rd October, aged twenty-five, was the only son of Mr. and Mrs. W. H. Hales, of Wimbledon. He was educated at King's College, Wimbledon, and matriculated at London University. In July, 1909, he was articled to Mr. Archibald W. Stirling, of Messrs. Maddison, Stirling, Hamm & Davies, of 33, Old Jewry, E.C., and passed his Law Final Examination in June, 1914. He enlisted in the month following the declaration of war in the Norfolk Regiment, and took a commission in March, 1915, being gazetted to the Berkshire Regiment. He married, on 27th April, 1915, Miss Athol Harris, of Wimbledon.

Legal News.

Honours.

The King has conferred the honour of Knighthood upon Mr. Justice (HENRY ALFRED) MCCARDIE.

The King has conferred the honour of a Baronetcy of the United Kingdom upon L. WORTHINGTON EVANS, Esq., M.P.

Major Worthington Evans, who has represented Colchester as a Unionist since 1910, was appointed D.A.Q.M.G. at York in October, 1914, and in August of the following year became Parliamentary Private Secretary to the Financial Secretary to the War Office. Last January he was appointed Controller of the newly-created Foreign Trade Department of the Foreign Office, which was instituted to deal with the prevention of trading by British firms and companies with the enemy. He was afterwards appointed to control also a Finance Section of the Foreign Office, formed to deal with financial matters connected with the blockade. During the debates on Mr. Lloyd George's Insurance Act he distinguished himself by his grasp both of the principles and the details of the measure.

Second Lieutenant O. H. COOKE, of the 8th King's Own Yorkshire Light Infantry, has recently been awarded the Military Cross for bravery in action on the battlefield in France on the 1st October. He was wounded in the attack, but is progressing satisfactorily. He obtained his degree of M.A. and B.C.L. at Merton College, Oxford, was called to the Bar (Inner Temple) in 1908, and subsequently joined the Chester and North Wales Circuit. After that he obtained an appointment in Rome, and left there immediately the war broke out and joined the Inns of Court O.T.C.

Changes in Partnerships.

Dissolution.

A. YOUNG HYLAND, PERCY C. ATKINS, and M. W. ROGER, solicitors (Hyland, Atkins, & Roger, and Nelson, Son, & Plews), 81, Cannon-street, London, E.C. October 1. Albert Young Hyland and Morrice Wilson Roger will practise together at 81, Cannon-street aforesaid, under the style or firm of Hyland & Roger. Percy Colquhoun Atkins will practise alone at 31, Budge-row, Cannon-street, under the said style or firm of Nelson, Son, & Plews. [*Gazette*, October 27.]

RICHARD CARTWRIGHT, solicitor (Richd. Cartwright), 230, Great Portland-street, in the county of London. 12th October. The practice will be carried on by Francis Henry White and Henry Charlesworth Needham. [*Gazette*, Oct. 31.]

General.

Mr. Thomas Henry Bolton, of Church-street, Steyning, Sussex, Chancery Taxing Master, and Master of the Supreme Court, formerly M.P. for North St. Pancras, left estate of gross value £5,760.

Mr. Thomas Jones, aged ninety, of Queen-street, Durham, notary public, and Registrar of the Archdeacons of Durham and Northumberland, for a long period managing director of the South Hetton Colliery Company, and a Freeman of the city since 1848, left estate of gross value £31,161.

In the House of Commons on Wednesday Major Hunt asked the Prime Minister whether it was intended that the millions held for Germans by the Public Trustee till the end of the war were to be considered an asset for Germany in the terms of peace; and, if so, were British businesses in Germany treated in the same way. Mr. Asquith: The question of the treatment of enemy property at present in the hands of the custodian and of British property in the hands of enemy Governments will necessarily come up for consideration in connection with the terms of peace, but it would not be in the public interest to make any statement at the present time as to the precise manner in which His Majesty's Government would propose that the matter should be dealt with. Sir E. Carson asked for an answer to the question whether British businesses in Germany were treated in the same way, and Mr. Asquith promised to inquire into the matter.

An official list, brought up to 21st October, has now been issued by the Charity Commissioners of the various charities entered in the Combined Register of Charities registered under the War Charities Act. Further

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G. H. MAYNE, Secretary.

lists will be issued from time to time. Copies of the list may be obtained, at the price of 3d. each, either directly or through any bookseller, from Wyman & Sons, Ltd., 29, Breems-buildings, Fetter-lane, E.C.

A Reuter's message from Cincinnati, dated 26th October, says President Wilson, in a speech advocating a league of nations after the present war to maintain peace, predicted that this would be the last world-war the United States would be able to keep out of. He said the nation should be ready to use physical force, if necessary, to assist in preventing war, and added that at times, in present conditions, the duties of neutrals were most difficult.

In the House of Commons on Wednesday, answering Mr. MacVeagh, Mr. Runciman said:—Lists of cases in respect of which orders have been made under section 1 of the Trading with the Enemy Amendment Act, 1916, are published from time to time in the *London Gazette* and in the *Board of Trade Journal*. A return of such cases is also made to Parliament every two months. It would be impracticable without the expenditure of a very great deal of time and labour to furnish particulars as to how the assets are being realised in each of the 344 cases in which orders have been made.

The London County Council recently resolved that in future all licences granted by them for music, music and dancing, or cinematograph exhibitions should be subject to a condition relating to a certain class of women. The form of licence at present in use under section 14 of the General Powers Act, 1915, provides that the licensee: Do in all things conduct the said house or place decently, soberly, and orderly, according to the true intent and meaning of this licence, and of the said Acts of Parliament. The Theatres and Music Halls Committee suggest the inclusion of the following clauses in the revised form of licence:—

(iii.) That the licensee shall in all things conduct the said house or place decently, soberly, and orderly, and that nothing contrary to sobriety, decency, or good manners shall be performed, produced, exhibited, or represented therein.

(iv.) That no part of the said house or place shall habitually be used by prostitutes for the purposes of solicitation or otherwise exercising their calling.

Reference was made in the Divorce Court on the 26th ult. by Mr. Justice Shearman to the recent rules for the maintenance of actions by poor suitors. His lordship said that he was one of those who had tried for years to get reforms for the benefit of pauper litigants. His experience, however, since he had sat in the Divorce Court was that a good many people sued as paupers who could well afford to pay in the ordinary way. The recent rules were abused in the same way as people abused hospitals and public funds. Such practices would bring the whole scheme into disrepute if they continued. Those concerned should strictly investigate the circumstances of each case to see that they were such as to entitle the applicant to relief. The system in Scotland was better than that in vogue here. There only a limited number of persons were allowed to act in pauper cases. Here the system seemed haphazard, and litigation was often taken up by persons who had no knowledge of the practice of the Division. No suit ought to be presented until it had been properly investigated.

At Bow-street Police Court on Tuesday, before Mr. Graham Campbell, Anthony John Norris, solicitor, Bedford-row, appeared on remand, charged on his own confession with the conversion of £400 entrusted to him to pay to Mr. William Willes, of Stratford-on-Avon. Mr. Robert Humphreys, who represented Mr. Willes, now said he had been instructed not to offer any evidence. A firm of solicitors had written to the defendant stating that they should issue a summons on behalf of a former client of his, but their intention was to apply for an order in the Chancery Division of the High Court and not to take criminal proceedings. The defendant surrendered to the police before any action had been taken. Mr. Harry Wilson, who appeared for the defendant, said that he was sixty-eight years of age and had been on the Rolls for forty years. He was very ill. The magistrate allowed the charge to be withdrawn. Messrs. Norris, Allens & Co., of 20, Bedford-row, W.C., wish to say that Anthony John Norris is not, and never has been, connected with their firm.

In the House of Commons on Wednesday, Mr. Runciman, replying to Mr. Gwynne, said:—Permission has been given under general licences for the payment of patent and trade-mark fees in enemy countries on behalf of British subjects and of similar fees in this country on behalf of enemies, and also for the payment of freight and other necessary charges in order to enable British owners of cargo on an enemy ship lying in a neutral port to obtain possession of such cargo. Licences to import specified goods of enemy origin have been issued when it was clearly to the advantage of this country to obtain them, and the sale of British-owned goods in enemy countries has been authorized in certain special cases. Payments to enemies have been allowed in certain other cases in order to preserve a British interest. The main consideration

in all these cases is that the transaction should be proved to be so greatly to the advantage of this country as to justify a relaxation of the prohibition against trading with the enemy which in other circumstances is rigidly enforced.

THE "Oxford" Sectional Bookcase is the ideal one for anybody who is building up a library. It is splendidly finished, with nothing of the office stamp about it. The illustrated booklet issued by the manufacturers, William Baker & Co., Ltd., The Broad, Oxford, may be obtained gratis, and will certainly prove interesting to book lovers.—(Advt.)

Court Papers.

Supreme Court of Judicature.

ROTA OF REGISTRARS IN ATTENDANCE ON				
Date.	EMERGENCY ROTA.	APPEAL COURT No. 1.	Mr. Justice NEVILLE.	Mr. Justice EYE.
Monday Nov. 6	Mr. Borrer	Mr. Bloxam	Mr. Greswell	Mr. Goldschmidt
Tuesday	Leach	Jolly	Church	Bloxam
Wednesday ..	Goldschmidt	Greswell	Leach	Farmer
Thursday	Farmer	Leach	Borror	Church
Friday	Church	Borror	Synge	Greswell
Saturday	11 Synge	Goldschmidt	Jolly	Leach
Date.	Mr. Justice SARGANT.	Mr. Justice ASTBURY.	Mr. Justice YOUNGER.	Mr. Justice PETERSON.
Monday Nov. 6	Mr. Leach	Mr. Jolly	Mr. Synge	Mr. Farmer
Tuesday	Goldschmidt	Greswell	Borror	Synge
Wednesday ..	Church	Borror	Jolly	Bloxam
Thursday	Greswell	Synge	Bloxam	Goldschmidt
Friday	Jolly	Farmer	Goldschmidt	Leach
Saturday	11 Borror	Bloxam	Farmer	Church

Circuits of the Judges.

The following Judges will remain in Town: THE LORD CHIEF JUSTICE OF ENGLAND, A. T. LAWRENCE, J., LORD COLERIDGE, J., ATKIN, J., SHEARMAN, J., and SANKEY, J., during the whole of the Circuits; the other Judges till their respective Commission Days.

Circuit.	Judge.	Commission Days.											
		Thursday, Oct. 12	Friday, Oct. 13	Saturday, Oct. 14	Sunday, Oct. 15	Monday, Oct. 16	Tuesday, Oct. 17	Wednesday, Oct. 18	Thursday, Oct. 19	Friday, Oct. 20	Saturday, Oct. 21	Sunday, Oct. 22	Monday, Oct. 23
OXFORD.	McCardia, J.	Reading	Oxford	Worcester	Gloucester	Monmouth	Hereford	Shrewsbury	Stafford				
MIDLAND.	Baillache, J.	Aylesbury	Bedford	Northampton	Leicester	Lincoln	Nottingham	Derby	Warwick				
S. EASTERN.	Horridge, J.	Cambridge	Norwich	Ipswich	Chelmsford								
WESTERN.	Bray, J. (2) Rowlands, J. (1)	Salisbury	Dorchester	Taunton	Bodmin	Exeter	Civil, Nov. 6	Windsor	Bristol 3				
N. AND S. WALES.	Bray, J. (3) Loach, J. (1)	Swansea	Cardiff	Chester	Swansea	Cardiff	Swansea	Cardiff					
N. EASTERN.	Darling, J. (2) Low, J. (1)	Newcastle											
NORTHERN.	Ridley, J. (2) Avery, J. (1)	Cardiff											
AUTUMN ASSIZES, 1916.		Thursday, Oct. 12	Friday, Oct. 13	Saturday, Oct. 14	Sunday, Oct. 15	Monday, Oct. 16	Tuesday, Oct. 17	Wednesday, Oct. 18	Thursday, Oct. 19	Friday, Oct. 20	Saturday, Oct. 21	Sunday, Oct. 22	Monday, Oct. 23

The Property Mart

Forthcoming Auction Sale.

Nov. 8.—Messrs. H. E. FOSTER & CRANFIELD, at the Mart, at 2: Shares (see advertisement back page, this week).

Creditors' Notices.

Under 22 & 23 Vict. cap. 35.

LAST DAY OF CLAIM.

London Gazette.—FRIDAY Oct. 27.

BALDWIN, CHARLES HENRY, Erdington, Birmingham, Ironmonger	Dec 1	East & Smith Birmingham
BAND, JANE, Nottingham	Nov 24	Martin & Sons, Nottingham
BIRCH, FREDERICK WILLIAM, Pall Mall	Nov 30	Reynolds & James, Birmingham
BLACKBURN, WILLIAM, Easton, nr Middlesbrough	Nov 24	Thompson, Middlesbrough
BOWLAND, HENRY JOHN, Kingston upon Hull, Advertising Contractor	Dec 8	Manley & Lowson, Hull
BULLEN-SMITH, JEMIMA, Ryde, Isle of Wight	Nov 18	Vincent, Ryde, Isle of Wight
BULLOCK, LOUISA, Warwick	Nov 28	Wright & Co, Leamington
BUSCHE, GEORG VON DEM, Hamburg, Germany	Nov 27	Reader & Co, Coleman at
CATLEY, JAMES, Wansstead, Essex	Nov 26	Slaughter & Colgrave, Arundel at
CHORLEY, MARY, Westbury, Wilts	Dec 1	Watts, Bristol
COSFORD, THOMAS GAMMAGE, Northampton	Dec 29	Shoosmith & Son, Northampton
CRATES, JOHN, Tunbridge Wells, Builder	Nov 18	Busa & Lovett, Tunbridge Wells
DOYLE, MARY MARGARET SABINA, Liverpool	Nov 30	Bartley & Co, Liverpool
EDEN, MARY, Harrogate	Nov 4	C H & J Bramley, Harrogate
EDWARDS, GEORGE, Clapham rd	Nov 30	Hicks & Co, King st, Cov at Garden
EVANS, JOHN, Liverpool, Civil Engineer	Nov 30	Mason & Co, Liverpool
FIRTH, HENRY BRANSON, Andover, Hants	Nov 30	Kewick & Co, Suffolk in
GEORGE, ELIZABETH, Hockley, Birmingham	Dec 1	East & Smith, Birmingham
HAGUE, WILLIAM, Crumpsall, Manchester	Nov 30	Howard & Co, Manchester
HALLITT, GEORGE, Shipowner, West Malvern, Worcester	Nov 30	Stephens & Co, Cardiff
HARKER SARAH, Cockermouth	Nov 25	Todd, Whitehaven
HARRINGTON, JOHN, Brighton	Dec 16	Cushman & Cunningham, Brighton
HARVEY, JOHN, Ilkeston, Derby, Licensed Victualler	Nov 24	Martin & Sons, Nottingham
HEATH, HELEN, Cheltenham	Nov 30	Heath & Eckersall, Cheltenham
HODGKINSON, ALAN, Oxford	Dec 8	Markland & Whitehead, Manchester
JONES, EMILY ALICE, Southampton	Dec 9	Pain & Co, Southampton
JONES, WILLIAM, Middlewich, Chester	Nov 25	Holland & Holland, Middlewich
LANFRANCHI, JOSEPH AUGUSTINO, Gravesend, Caterer	Nov 24	B & F Tolhurst, Gravesend
LOWENADLER, LAAS JOHAN FREDRIK, Fenchurch av	Nov 30	Bristows & Co, Copthall bldgs
MORANT, GEORGE CHRISTOPHER, Hove, Sussex	Dec 31	E F & H Lagon, New Broad st
MURRAY, WILLIAM, Vancouver, British Columbia	Dec 24	Witty, Old Jewry chmbrs
PARKMAN, EMILY REBECCA, East Cowes, Isle of Wight	Dec 2	Bailey, jun, Newport
PARRY, WILLIAM, Holmer, Hereford, Farmer	Nov 24	Cerner & Wadsworth, Hereford
PRIEST, LESLIE GORDON, Heath drive, Hampstead	Nov 30	J & M Solomon, Finsbury
PROWSE, OSCAR IRBY, Liphook, Hants	Nov 29	Smythe & Brettell, Basinghall st
REMER, JOHN SUTTON, Woolton, Liverpool, Timber Merchant	Dec 1	Nield, Liverpool
RENNISON, ARTHUR GEORGE, Tunbridge Wells, Licensed Victualler	Dec 1	Sherrard & Sons, Gresham at
ROWLAND, JOHN, Venston, Somerset, Farmer	Nov 25	Bartlett & Sons, Sherborne Dorset
SHAND, WILLIAM GARROW, Salford	Nov 15	Field & Cunningham, Manchester
SOUTHARD, ARTHUR, St Dunstan's hill, Wine and Spirit Broker	Dec 8	Fairbrother Leadenhall st
SMITH, SAMUEL JAMES, Cheltenham	Nov 30	Steel & Co, Cheltenham
STORRER, ANDREW, Chester	Nov 28	Hughes, Chester
STRUTHERS, ROBERT, Chiswick	Nov 23	Barnard & Taylor, Lincoln's inn fields
TALBOT, LAURA, Bungay, Suffolk	Aug 18	Hull and Bull, Stone bldg, Lincoln's inn
TAYLOR, MAURICE LEWELLYN, Admiralty	Dec 1	Taylor, Lincoln's inn fields
TUTON, JOHN, Keyingham, Yorks, Farmer	Dec 8	Manley & Lowson, Hull
VERINDER, THOMAS, Florence rd, Ealing	Nov 30	Pearce & Nicholls, Clement's inn
WADE, SAMUEL COOK LIGHTFOOT, Hornsea, Yorks	Nov 27	Frankish & Co, Hull
WALSHAM, FLORENCE DOWAGER, Dame, Walsham, Hereford	Nov 30	Corbould & Co, Henrietta st, Cavendish sq
WATKINS, JANE, Birmingham	Dec 1	East & Smith, Birmingham
WEBSTER, KATE, Longfield, Kent	Nov 24	B & F Tolhurst, Gravesend
WESTMACOTT, ANNETTE BEATRICE, Ascot, Berks	Dec 1	Valpy & Co, Lincoln's Inn fields
WHITE, HAROLD, Luton, Beds, Chemist	Dec 1	Gates, Luton
WILSON, HENRIETTA, St Leonards on Sea	Dec 7	Cheesman, Brighton
WILSON, NORMAN MACCAULL, Liscard, Wallasey, Chester	Nov 17	Snowball & Co, Liverpool
WOOD, LOUISA HARRIETT CROMWELL, Barnes, Widow	Nov 25	Griffinhoofe & Brewster, King's Bench walk

London Gazette.—TUESDAY, Oct. 31.

HALLANTINE, JULIA FLORENCE, Westcliff on Sea, Essex	Dec 8	G & G Keith, Southampton st, Holborn
BELL, MARY ANN EMILY KATH, Milkwood rd, Brixton	Dec 21	James & James, Ely pl
BEMAND, WILLIAM, Wednesbury, Staffs	Nov 30	Thursfield, Birmingham
BIDWELL, GEORGE WOODWARD, Huntingdon	Nov 25	Huntybush & Sons, Huntingdon
BIGGELL, MARY SYBELLA, John st, Mayfair	Nov 30	Trower & Co, New sq, Lincoln's inn fields
BOOTH, JAMES THOMAS, Bradford	Nov 1	Newell & Co, Bradford
BREWIS, EDWARD, Tottenham	Dec 15	Carter & Barber, Eidon st
BROOM, AUGUSTUS, Pall Mall	Dec 4	Stephenson & Co, Lombard st
BUGGET, CLEMENTINA SOPHIA, Ile et Villaine, France	Dec 4	Green & Co, Southampton
CARLISLE, MISS EDITH MARIA FRANCES, Newenden, Kent	Nov 30	Eider & Co, New sq
CHAMBERS, HENRY DAVID GREGORY, Croydon	Dec 5	Curtis & Collier, Regent at
CHAPMAN, ROA, Yeovil	Nov 18	Watts & Co, Yeovil
COOPER, FREDERICK ROBERT, Winchester	Nov 14	Warner & Kirby, Winchester
DANIEL, THOMAS HENRY, Moseley, Birmingham	Nov 30	Reece & Davis, Birmingham
DEAN, EDWIN, Liverpool, Slate Merchant	Nov 20	Laces & Co, Liverpool
EDEN, Lieut the Hon WILLIAM ALFRED MORTON, Bournemouth	Dec 16	Burgess & Co, New sq, Lincoln's inn
EDMONDSON, HERBERT, Wakefield, Architect	Dec 1	Mason & Co, Wakefield
GRANTHAM, ELIZABETH, Buckingham	Nov 28	Law, Buckingham
GRONER, BERNARD, North gate, Regent's Park, Furrer	Dec 18	Anning & Co, Cheap-side

HARPER, RAY FREDERICK, Withington, Salop Nov 10 Povey-Harper, Birmingham
HARRISON, ARTHUR, Leeds, Worsted Coating Manufacturer Dec 1 Bulmer & Co, Leeds
JENNINGS, ELIZABETH HAWDON, Carlisle Nov 10 Dobinson & Watson, Carlisle
LENDERS, ANGELA JEAN FANNY, Alexandra rd, Hampstead Dec 30 Greenwell & Co, Berners st
LEWIS, LUCY VICTORIA, St Asaph, Flint Nov 25 Lewis, D. High
MCLACHLAN, ARCHIBALD, Sheffield Nov 30 Wall & Son, Wigan
MCNAKE, JORRETT, Jun, MC, Maxwelltown, Dumfriesshire Nov 17 Renton & Davidson, Kirkcaldy
MCNAUGHT, WILLIAM, Bowness in Windermere, Westmorland, Engineer Dec 1 Tyrer & Co, Liverpool
MADGE, CHARLES ALBERT, Dorking, Surrey Nov 30 Monier-Williams & Co, Great Tower st
MIRRELMERS, ARCHIBALD MCIR, Hampstead Jan 1 Radford & Frankland, Chancery in Mortimer, George Richard, Crediton, Devon Dec 20 R T & H Camp/OB, Exeter
NANSOR, JOHN LIGHTON, Perth, Western Australia Dec 8 James & James, Ely pl
NEWBROUGH, Rt Hon WILLIAM CHARLES Lord, Park in Dec 8 Kendall & Co, Carey st

NORMAN, ANN ANY, Norwich, Dec 2 Blyth, Norwich
PEARSON, MARY, Southampton Nov 30 Blunt & Brocklehurst, Macclesfield
PIKE, EDITH, Princes rd, Kennington Nov 28 Sydney, Renfrew rd, Lambeth
POPE, ANDREW, Saltash, Cornwall, General Dealer, Dec 9 Porter, Plymouth
FRIDMORT, FRANK ANDREW, Lissar av, Clapham Common, Chart Agent's Clerk Dec 4
Potter & Co, Queen Victoria st
RICHARDS, TOM, Broage, Cornwall Dec 14 Tyacke & Son, Helston
RYLAND, MARY DYER, Bristol Nov 30 Fowell & Co, Bristol
SELWYN, LILLY ALLEN, and SELWYN, ALLEN HAMMOND, Scarasdale villas, Kensington Dec 12 Lewis & Yglesias, Old Jewry
SWIFT, GEORGINA, Eastbourne Nov 28 Langham & Swift, Eastbourne
VITCH, WILLIAM SCOTT, Haslemere, Surrey Nov 30 Ca-von & Sparkes, Guildford
WHITLOCK, DRAYCOTT KELLY, Southampton, Dental Surgeon Dec 4 Ewing, South-amp-ton
WILLIAMSON, JOHN WILLIAM, Holbeck, Leeds, Joiner Dec 4 Middleton & Sons, Leeds
WRIGHT, GEORGINA CHARLOTTE, Eastbourne Dec 4 Bird & Sons, Young st, Kensington
YODAN, GEORGE, Fairbridge rd, Upper Holloway Nov 30 Lander & Co, Chancery in

Bankruptcy Notices.

London Gazette.—TUESDAY, Oct. 24.

ADJUDICATIONS.

AMOS, GEORGE MARLBOROUGH, Colchester, Coal Merchant: Colchester Pet Oct 20 Ord Oct 20
BARNETT, BERNARD, Finch st, Whitechapel High Court Pet Sept 21 Ord Oct 19
BROWN, PRECY BOURNE, Albemarle at High Court Pet Oct 11 Ord Oct 19
EDWARDS, EDWIN, Tottenham, Boot Repairer Edmonton Pet Oct 19 Ord Oct 19
GRIFFIN, WILLIAM HENRY, and HAROLD AUSTIN UNSWORTH, Manchester, Engineers Manchester Pet Oct 4 Ord Oct 19
KILVERT, JAMES BARLOW, Hulms, Manche ter, Park Butcher Manchester Pet Oct 16 Ord Oct 20
LEE, WILLIAM HENRY, Carlsbad st, Caledonian rd, Carman High Court Pet Oct 11 Ord Oct 19
MOOR, WILLIAM THOMAS, Bramhall, Cheshire, Hardware Merchant Manchester Pet Sept 30 Ord Oct 19
PRIEST, HARRY, Blackburn Grocer Blackburn Pet Sept 25 Ord Oct 19
ROWE, HELEN EDITH, Dyke rd, nr Brighton Brighton Pet Aug 21 Ord Oct 20
SAINSHURTY, BERTHAM CHARLES, Worlton, Wilts, Farmer High Court Pet Sept 1 Ord Oct 20
SHATZ, MORRIS, -alkers at, Berwick st, Oxford st, Draper High Court Pet Sept 27 Ord Oct 20
SMITH, THOMAS, Richmond rd, Hackney, Toy Manufacturer High Court Pet Aug 19 Ord Oct 19
STEINMANN, BERNARD PICKLEY, King's, St James' High Court Pet July 21 Ord Oct 19
STEVENS, LILLY ISOBEL, Great George st, Westminster Spinster High Court Pet July 31 Ord Oct 20
STOURTON, AUDREON JOSEPH, Piccadilly High Court Pet July 13 Ord Oct 19
THORNER, ALICE MAUD MARY, Bedford Bedford Pet Oct 21 Ord Oct 21
WHITHEAD, ERNEST WILLIAM, A'hemarle st, St James', High Court Pet May 26 Ord Oct 20

London Gazette.—FRIDAY, Oct. 27.

RECEIVING ORDERS.

ADDERLEY, Hon RALPH BOWTER, Comeragh rd, West Kensington High Court Pet Oct 25 Ord Oct 25
BEST, HARRY, Wareham, Dorset, Greengrocer Poole Pet Oct 24 Ord Oct 24
CAMPBELL, Capt DUNCAN F, Northumberland av High Court Pet Mar 24 Ord Oct 24
CARTMAN, WILLIAM HENRY, Harrogate, Plumber York Pet Oct 21 Ord Oct 21
DAVIES, WILLIAM, Treherbert, Glam, Grocer Pontypriid Pet Oct 23 Ord Oct 23
FARRAR, FRED, Halifax, Journeyman Mason Halifax Pet Oct 24 Ord Oct 24
FAZAN, WALTER ROBERT, Deodar rd, Putney, Illustrator Wandsworth Pet Oct 23 Ord Oct 23
FRANCIS, ERNEST WILLIAM, Yaxham, Norfolk, Farmer Norwich Pet Oct 7 Ord Oct 23
FRANCIS, HARRY COE, Costessey, Norfolk, Farmer Norwich Pet Oct 7 Ord Oct 23
HARRIS, ISAAC, Ladbroke gr, Notting Hill High Court Pet Sept 20 Ord Oct 25

JOHNSON, ASHTON ERNEST, Cratfield, Suffolk, Grocer Great Yarmouth Pet Oct 25 Ord Oct 25
JONES, MORGAN, Llangadock, Carmarthenshire, Licensed Victualler Carmarthen Pet Oct 21 Ord Oct 21
MAYOR, GEORGE ALEXANDER, Hounslow, Medical Practitioner Brentford Pet Oct 24 Ord Oct 24
POTTER, WILLIAM SAMUEL, New Edlington, nr Doncaster, Coal Miner Wakefield Pet Oct 24 Ord Oct 24

FIRST MEETINGS.

ADDERLEY, Hon RALPH BOWTER, Comeragh rd, West Kensington Nov 7 at 11 Bankruptcy bldgs, Carey at AMOS, GEORGE MARLBOROUGH, Colchester, Coal Merchant Nov 4 at 11.30 Cups Hotel, Colchester
BEST, HARRY, Wareham, Dorset, Greengrocer Nov 3 at 12.30 100, High at (Hr-c floor), Poole
CAMPBELL, Capt DUNCAN F, Northumberland av Nov 7 at 11 Bankruptcy bldgs, Carey at
CARTMAN, WILLIAM HENRY, Harrogate, Plumber Nov 7 at 3.30 Off Rec, The Red House, Duncombe pl, York
CATTERMOLK, JOHN CHARLES WALKER, Liskeard, Baker Nov 6 at 3.15 Off Rec, 7, Buckland terr, Plymouth
DAVIES, WILLIAM, Treherbert, Glam, Grocer Nov 9 at 11.15 Off Rec, 84 Catherine's chambers, St Catherine's st, Pontypriid
FARRAR, FRED, Halifax, Journeyman Mason Nov 6 at 11.15 County Court House, Prescott st, Halifax
FAZAN, WALTER ROBERT, Deodar rd, Putney, Illustrator Nov 3 at 11 132, York rd, Westminster Bridge rd
GARNETT, CHARLES, Liverpool, Solicitor Nov 3 at 11 Off Rec, 11, Dale st, Liverpool
HARRIS, ISAAC, Ladbroke gr, Notting Hill Nov 7 at 12 Bankruptcy bldgs, Carey at

ADJUDICATIONS.

CARTMAN, WILLIAM HENRY, Harrogate, Plumber York Pet Oct 21 Ord Oct 21
DAVIES, WILLIAM, Treherbert, Glam, Grocer Pontypriid Pet Oct 23 Ord Oct 23
DAVISON, NERVILLE H, Horse Guards av High Court Pet July 21 Ord Oct 24
FARRAR, FRED, Halifax, Journeyman Mason Halifax Pet Oct 24 Ord Oct 24
FAZAN, WALTER ROBERT, Deodar rd, Putney, Illustrator Wandsworth Pet Oct 23 Ord Oct 23
GARDNER, FRANCIS STUART, Lyncroft mans, West Hampstead Barnet Pet Aug 30 Ord Oct 25
JOHN-ON, ASHTON ERNEST, Cratfield, Suffolk, Grocer Great Yarmouth Pet Oct 25 Ord Oct 25
JONES, FRANCIS, Bournemouth, Company Director Poole Pet Sept 7 Ord Oct 23
JONES - MORGAN, Llangadock, Carmarthenshire Licensed Victualler Carmarthen Pet Oct 21 Ord Oct 21
KURIANSKY, LOUIS, Queen's rd, Bayswater, Agent High Court Pet Aug 23 Ord Oct 24
MAYOR, GEORGE ALEXANDER, Hounslow, Medical Practitioner Brentford Pet Oct 24 Ord Oct 24
PERRY, CECIL, Madrox at, Accountant High Court Pet Aug 17 Ord Oct 25
POTTER, WILLIAM SAMUEL, New Edlington, nr Doncaster, Coal Miner Wakefield Pet Oct 24 Ord Oct 24
ROGERS, FRANK THOMAS, HERBERT EDWARD ROGERS, and ROSE ELIZABETH ROGERS, Sevenoaks, Kent, Butchers Tunbridge Wells Pet Sept 30 Ord Oct 24
SOLOMON, ABRAHAM, Howland at, Tottenham Court rd, Bag Maker High Court Pet Sept 25 Ord Oct 21

SWINBURNE, WILLIAM, Hawarden, Flint, Traveller Liverpool Pet Oct 3 Pet Oct 23
TONKIN, WILLIAM KENNICK, Teintworth, Cinema Proprietor Exeter Pet Sept 15 Ord Oct 23

Amended Notice substituted for that published in the London Gazette of Jan 27:

MACQUEEN, LEONARD ELSTON, Haymarket, Tailor High Court Pet May 3 Ord June 22

ADJUDICATION ANNULLED.

KELSON, HARRY, Rotherham, Yorks, Insurance Broker Sheffield Adjud July 30, 1910 Annual Oct 26, 1916

London Gazette.—TUESDAY, Oct. 13.

RECEIVING ORDERS.

BIBOLINI, IGNO, Witham, Essex, Currier, Chelmsford Pet Oct 27 Ord Oct 27
BRATSWELL, ALFRED WILLIAM, Wombwell, Yorks, Ba. zol Rectifier, Barnsley Pet Oct 27 Ord Oct 27
CANN, TOM, Abbotstakerswell, nr Newton Abbot, Baker Exeter Pet Oct 28 Ord Oct 28
DAVIES, DANIEL, Aberayron, Cardigan, Grocer Aberystwyth Pet Oct 25 Ord Oct 25
DAVIES, D J, Llangynwyl, Glam, Licensed Victualler Cardiff Pet Oct 13 Ord Oct 27
ELLIS, ENOCH, Llandudno, Grocer's Assis ant Bangor Pet Oct 27 Ord Oct 27
GIBBY, THOMAS BOWEN, Rose, Hereford Dairyman Hereford Pet Oct 23 Ord Oct 28
HOW, JOHN WALTER, Burton on Trent, Hay Merchant Burton on Trent Pet Oct 27 Ord Oct 27
KEANEY, JOSEPH WILLIAM, Heeley, Sheffield, Table Knife Cutler S efield Pet Oct 26 Ord Oct 26
SCUTCLIFF, JAMES THOMAS, Accrington, Theatre Proprietor Blackburn Pet Oct 13 Ord Oct 13
WHATLEY, BENJAMIN, Sheffield, Painter Sheffield Pet Oct 28 Ord Oct 28
WILKINS, JAMES, Keynham, Somerset, Baker Bristol Pet Oct 25 Ord Oct 25

FIRST MEETINGS.

BERTIE, WALTER FRANK, Lodge drive, Palmers Green Balldir Nov 8 at 11.30 14, Bedford row
DAVIES, DANIEL, Aberayron, Cardigan, Grocer Nov 10 at 1.30 County Court Office, 4, Baker st, Aberystwyth
EDWARDS, EDWIN, Avondale rd, West Green, Tottenham, Boot Repairer Nov 8 at 12 14, Bedford row
GARDNER, FRANCIS STUART, Lyncroft mans, West Hampstead Nov 8 at 11 14, Bedford row
JONES, MORGAN, Llangadock, Carmarthenshire, Licensed Victualler Nov 9 at 12.15 Off Rec, 4, Queen st, Carmarthen
MOOR, WILLIAM THOMAS, Bramhall, Cheshire, Hardware Merchant Nov 8 at 8 Off Rec, Byrom st, Manchester
POTTER, WILLIAM SAMUEL, Edlington, nr Doncaster, Coal Miner Nov 7 at 11 Off Rec, 21, King st, Wakefield
ROGERS, FRANK THOMAS, HERBERT EDWARD ROGERS, and ROSE ELIZABETH ROGERS, Sevenoaks, Kent, Butcher Nov 9 at 2.30 Off Rec, 12A, Marlborough pl, Brighton
THORNER, ALICE MAUD MARY, Bedford Nov 7 at 8.30 Messrs. Hailey and Morrison, Solicitors, Mill st, Bedford

THE LICENSES INSURANCE CORPORATION AND GUARANTEE FUND, LIMITED,

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APPLY FOR PROSPECTUS.

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